

## D.C. Council Votes To Recognize Gay Nuptials Elsewhere

### *Decision Comes as Vermont Legalizes Same-Sex Marriage*

By NIKITA STEWART and TIM CRAIG  
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The D.C. Council unanimously voted yesterday to recognize gay marriages performed elsewhere, joining a growing number of states to loosen restrictions on the unions.

The District's actions came the same day as Vermont became the fourth state to recognize same-sex marriages and a week after the Iowa Supreme Court legalized such unions. The moves generated a sense of momentum and hope among gay activists and anger among some religious and conservative groups.

The vote in the District was preliminary. Lawmakers expect a final one May 5. The District already allows domestic partnerships, and its decision was the first step in a looming battle for the city's gay marriage bill. That measure is expected to be introduced in the council soon and undoubtedly will pit the city against opponents in Congress, which has the final say in the District's legislative matters.

"I think we're going to look back at this week as a moment when our entire country turned a corner," said Jennifer C. Pizer, national marriage project director for the advocacy group Lambda Legal. "Each time there's an important step forward, it makes it easier for others to follow."

That road remains an uphill one for supporters, however. Forty-three states have laws prohibiting gay marriages — 29 of those with constitutional amendments specifically defining marriage as between a man and a woman.

Under Home Rule, the District's laws are subject to approval by Congress.

But council member Jim Graham (D-Ward 1) said "the writing is on the wall" that the city will approve gay marriage. "We are now taking the issue directly to Congress, and no one else can do that," said Graham, who is gay.

Ranking members of the House Committee on Oversight and Government Reform and a subcommittee that

"a very important battleground" if Congress tries to intervene. But Nipper said she is increasingly optimistic that the political climate on Capitol Hill "has changed quite a bit in this new Congress and new administration."

Opponent Peter Sprigg said the D.C. Council displayed plenty of strategy with yesterday's vote. "What they have done seemed to be a little bit of a Trojan horse," said Sprigg, a senior fellow for policy studies at the Family Research Council, a national conservative group against gay marriage.

"This was added as an amendment" and "suggests some real political maneuvering without subjecting it to public scrutiny," Sprigg said.

The D.C.-based Family Research Council, which condemned the Vermont and District actions, could try to get Congress involved or seek a public referendum, Sprigg said.

Domestic partnerships are legal in the nation's capital. But yesterday's vote explicitly recognizes the nuptials of gay couples married in other states. In Vermont, the legislature voted to override its governor's veto of the unions Monday.

Yesterday, the D.C. Council was ready to vote on legislation that would have clearly stated that such married couples are recognized as domestic partners, but another gay member, David A. Catania (I-At Large), pushed for them to be recognized as "married."

Catania plans to introduce legislation "very soon" to legalize gay marriage in the District. He declined to give a timeline, but sources not authorized to speak on the issue publicly said the bill could come within weeks.

The unanimous vote, minus absent member Marion Barry (D-Ward 8), is a good indicator that a gay marriage bill could clear the council, Catania said.

"I feel really heartened by this vote," he said. "I am obviously proud to be a part of the legislature of this city. I fully expect if we go forward, when we go forward, on marriage equality we will have a super-majority in support of it."

Mayor Adrian M. Fenty (D) said in a statement, "I fully support today's action and look forward to



signing the legislation once the Council takes final action next month.”

Fenty has been criticized by gay-rights activists in recent months for failing to recognize domestic partnerships from other states — an authority given to him with a law that went into effect in September.

Attorney General Peter Nickles said the law was too open to interpretation because it required the domestic partnerships in other jurisdictions to be “substantially similar” to the city’s domestic partnerships. He said the council’s action yesterday eliminated the issue.

Massachusetts paved the way for gay marriage in 2004, followed by Connecticut, and now Iowa and Vermont.

But much of the public remains reluctant to endorse gay nuptials. In November, California voters approved a measure that defined marriage as only between a man and a woman.

A December CNN/Opinion Research poll showed that 55 percent of adults believed marriages between gay and lesbian couples should not be recognized by the law as valid. Michael Crawford, an organizer of DC for Marriage, a group that supports gay marriage, said the city must pause and look at recent political defeats. The group has been circulating petitions in a grassroots campaign, he said.

“Both the potential for a Proposition 8-style resistance and potential congressional intervention means we should be very smart and stra-

tegic and not caught up in the moment of Iowa and Vermont,” Crawford said.

The two houses of Vermont’s legislature voted last week for a same-sex marriage bill — four votes short of a veto-overriding majority — and Gov. Jim Douglas (R) vetoed it Monday. But yesterday, several House members who voted against it last week switched sides to support the override, making gay marriage law.

In 2006, 57 percent of Virginia voters supported a constitutional amendment to ban gay marriage and civil unions. In Maryland, despite a liberal reputation and a legislature dominated by Democrats, proposals to allow gay marriage there have stalled in recent years. Maryland does not recognize gay marriages performed in other states.

Kate Runyon, executive director of Equality Maryland, said she believes some gay residents of Maryland might consider moving to the District if the city proves more willing to extend rights. “D.C. could become a place nearby where people would rather live,” Runyon said. “It’s such a benefit to have your rights recognized and have the equality for your family. I think that would be quite sad. I appreciate D.C. quite a lot, but Maryland has so much to offer.”

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*Staff writers Jennifer Agiesta, Rosalind S. Helderman and Keith B. Richburg contributed to this report.*



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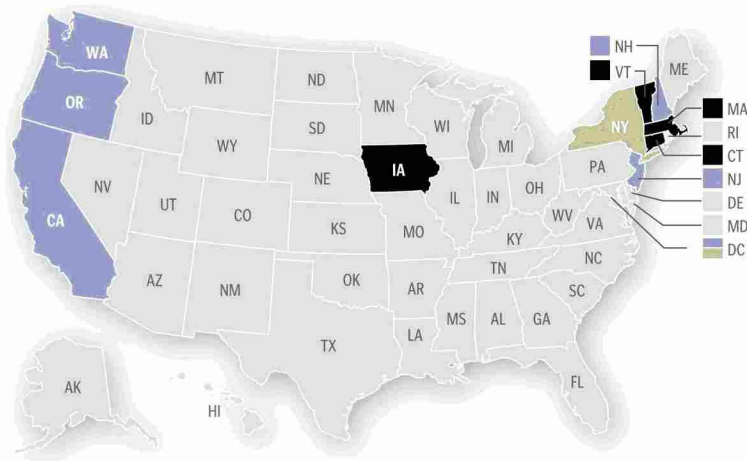
Gay marriage advocate Beth Robinson, center, holds back tears after the passage of a gay marriage bill in Montpelier, Vt.

## Marriage Laws in the United States

*Yesterday, Vermont became the fourth state to allow same-sex marriage. Here is a look at what other states recognize in terms of gay relationships.*

### STATES WITH RECOGNITION OF SAME-SEX COUPLES

- Marriage licenses**  
(4 states)
- Civil unions and state-level spousal rights**  
(5 states, plus D.C.)
- Same-sex marriages from other states**  
(1 state, plus D.C.)



NOTE: D.C., Hawaii, Maine and Washington offer some state-level spousal rights to unmarried couples.

SOURCES: Human Rights Campaign, National Conference of State Legislatures

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